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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/296,538

Applicant(s)

ALI ET AL.

Examiner

Simon Sing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-5, 12-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Wallace, et al. US 6,061,432.

1.1 Regarding claims 1 and 22, O'Neal discloses a voice messaging system in figure 1, comprising:

a controller (a voice messaging system inherently comprises a controller, or processor);

a user accessible voice message memory (InBox; figures 9 and 18) for storing user accessible voice message(s); and

a deleted voice message memory (Trash Bin; figure 9) for storing deleted voice message(s) (column 9, lines 55-59).

O'Neal teaches that when a voice message is deleted from the InBox (by a command from a computer keypad), it is moved and stored in the Trash Bin (column 9, lines 14-38, 55-59). O'Neal further teaches that voice mail messages can also be

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played to a user via a telephone and inherently, the user can delete a voicemail message from a keypad (column 7, lines 65 to column 8, line 3), but fails to teach automatically compressing the voice message stored in the Trash Bin.

However, Wallace discloses a voicemail system and teaches that voice messages stored in a voicemail system are digitized and compressed (column 1, lines 16-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teachings of Wallace, so that voice messages would have been automatically digitized, compressed and stored in the voice messaging system, because such modification would have clarified how voice messages were handled by voice messaging system, and storing compressed voice messages would have reduced the storage memory space.

1.2 Regarding claim 2, O'Neal teaches a telephone system 108 for interfacing with a PSTN in figure 1.

1.3 Regarding claims 3 and 13, O'Neal teaches moving a deleted voice message from the Trash Bin back to the InBox (column 9, lines 62-65).

1.4 Regarding claims 4 and 15, O'Neal teaches expunging the deleted voice message from the Trash Bin (column 9, lines 62-65).

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1.5 Regarding claims 5 and 24, O'Neal teaches using a computer 20 to access the voice messaging system for retrieving a voice message (column 9, lines 14-38), and it is inherent that a user is able to highlight the deleted voice message in the Trash Bin and press a delete key from the computer keyboard to permanently deleting the deleted voice message.

1.6 Regarding claim 12, O'Neal discloses a method for retrieving and deleting a voice message in voice messaging system, comprising steps of:

automatically removing a user deleted voice message from a user accessible first memory (InBox; figures 9 and 18) to a second memory (Trash Bin; figure 9) upon a user delete option from a keypad (column 7, line 65 to column 8, line 3; column 9, lines 14-59).

O'Neal teaches that when a voice message is deleted from the InBox, it is moved and stored in the Trash Bin (column 9, lines 55-59), but fails to teach automatically compressing the voice message stored in the Trash Bin.

However, Wallace discloses a voicemail system and teaches that voice messages stored in a voicemail system are digitized and compressed (column 1, lines 16-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teachings of Wallace, so that voice messages would have been automatically digitized, compressed and stored in the voice messaging system, because such modification would have

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clarified how voice messages were handled by the voice messaging system, and storing compressed voice messages would have reduced the storage memory space.

1.7 Regarding claims 14 and 23, O'Neal teaches inputting a password to access the voice messaging system (column 9, lines 18-20).

2. Claims 6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Wallace, et al. US 6,061,432 and further in view of Yaker US 6,137,864.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice message in the Trash Bin, but fails to teach expunging (deleting) the deleted voice message is based on a predetermined condition such as a time length (interval).

However, Yaker discloses method for permanently deleting a voice message after the voice message has been deleted. Yaker teaches keeping the deleted voice message in memory area for a period of time (time interval), such as one day, day or weeks (time interval) before permanently delete it.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Yaker, so that deleted voice messages would have been permanently deleted in a

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time interval, such as days, weeks or months, because such a modification would have purged old deleted messages from time to time to prevent memory overflow.

3. Claims 7, 8, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Wallace, et al. US 6,061,432 and further in view of Garson et al. US 5,689,550.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice messages in the Trash Bin, but fails to teach deleting an oldest voice message stored in the Trash Bin when deleted voice messages reach a predetermined number.

However, Garson discloses an interactive voice messaging system. Garson teaches that when voice messages in a "delete queue" (a memory area) reaches its limit by percentage of memory area, or by number of call (messages), the oldest records are deleted (column 16, lines 23-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Garson so that the oldest voice message in the Trash Bin would have been automatically and permanently deleted when the deleted voice messages reached a predetermined number, because such a modification would have purged oldest deleted voice messages to prevent memory overflow.

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4. Claims 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Wallace, et al. US 6,061,432 and further in view of Sweet et al. US 5,163,085.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice messages in the Trash Bin, but fails to teach deleting the deleted voice messages from the Trash Bin when its memory reaches a predetermined percentage of the capacity.

However, Sweet discloses a digital voice storage and retrieval system in figure 2. Sweet teaches that when voice messages in a voice file (memory) reach a predetermined percentage level, the oldest voice messages in the voice file will be deleted (column 12, lines 53-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Sweet so that the oldest deleted automatically and permanently deleted when the memory of the Trash Bin reached a predetermined percentage of its capacity, because such a modification would have purged old deleted voice messages to prevent memory overflow.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Wallace, et al. US 6,061,432 and further in view of Newton US Patent 5,978,757.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin, and voice messages stored in the voice messaging system are compressed, but fails to teach using a difference bit rate for compressing the Trash Bin.

However, Newton discloses a system and method for post storage message compaction. Newton teaches compressing new voice mail messages with lower compression ratio, once played, old voice messages are deleted from new voice message memory area, compressed with a higher compression ratio and then store in a compressed message memory area (column 4, lines 1-9, 20-32; column 15-18). It is inherent that higher compression ratio has a lower bit rate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teaching of Newton so that an deleted voice message would have been compressed with a lower bit ration, because such a modification would have enable a the voice messaging system to store more deleted voice message in the Trash Bin.

6. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 view of Mohler US 5,930,337 and further in view of Tow EP 820182.

O'Neal discloses a voice messaging system in figure 1. O'Neal teaches moving a voice message from a user's Inbox to a Trash Bin when the voice message is deleted

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by the user from a computer (keyboard or keypad) (column 9, lines 14-38, 55-59), or from a telephone keypad (column 7, line 65 to column 8, line 3).

O'Neal fails to teach dynamically allocating memory space to each mailbox to optimize memory usage.

However, Mohler teaches dynamic varying mailbox sizes, in that the size of each mailbox is automatically adjusted based on how many voice messages (memory size) are stored (Abstract; column 2, lines 19-30; column 3, lines 43-49).

In addition, Tow teaches dynamically modifying disk space for mailboxes (column 1, lines 5-10), and when messages are deleted from, or added to a mailbox, the disk space is reduced or increased accordingly (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teachings of Mohler and Tow, so that memory space for mailboxes (including the Trash Bin, which is a deleted-message box) would have been dynamically adjusted when messages were added to or deleted from, because such a modification would have allocated memory space based on actual usage to eliminate wasting memory in under occupied mailboxes.

7. Claims 1, 12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859.

Jones discloses a system a method for archiving voice messages in figures 1-5.

Jones teaches:

retrieving a voice messages from voice messaging system's memory area (user accessible voice message memory) and storing said voice message in a transfer queue upon a user archiving command from a keypad (column 6, lines 7-13; column 7, lines 16-26, 31-44);

deleting said voice message immediately from said voice messaging system's memory area based on a user's keypad archiving option (Jones keypad option to archive reads on claimed keypad option to delete since the option to archive also deletes the voice message) (column 8, lines 1-5, 15-19, 33-36);

transmitting said voice message to an archiving system (column 2, lines 14-17; column 7, lines 53-56) for storing in a memory area (deleted voice message memory for storing a voice message deleted from voice messaging system) (column 8, lines 43-48; column 9, lines 323-36);

Jones teaches deleting a voice message from a voice messaging system and moving the deleted voice message to an archiving system when a user using a keypad to enter an archiving command (read on deleting command), but fails to teach automatically compressing said voice message when it is archived.

However, Becker discloses a system for archiving voice files (voice messages) in figure 15. Becker teaches compressing archived voice messages to save memory space (column 14, lines 27-33).

In addition, Carbone teaches automatically compressing data files for archiving (column 2, lines 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Jones' reference with the teachings of Becker and Carbone, so that archived voice messages would have been automatically compressed and stored in the archiving system, because such a modification would have reduced the memory area (deleted voice message memory) required for storing the archived voice messages.

8. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knuth et al. US 5,400,393 view of Tow EP 820182.

Knuth discloses a voice mail digital telephone answering device in figure 1 with a controller 20. Knuth teaches that a voice message from a caller is stored in a common memory area, or common mailbox (user accessible voice message memory, or first memory area) (column 2, lines 51-57; column 4, lines 58-66; column 6, lines 60-63). Knuth also teaches that when a user presses a number on a keypad (keypad option to move, including delete) to indicate an individual mailbox number during playback, a voice message stored in the common memory area is deleted from the common memory area and moved to a the individual mailbox (deleted voice message memory, or second memory area, for storing a voice message deleted from the common memory area) (column 5, lines 37-48; column 6, lines 64-68; column 7, lines 1-6; Abstract).

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Knuth further teaches dynamically allocating mailboxes so that messages for one user are partitioned from (messages of) other users (column 2, lines 32-35), but fails to explicitly teach dynamical mailboxes allocation is directed to allocating memory space for each mailbox.

However, Tow teaches dynamically modifying disk space for mailboxes (column 1, lines 5-10), and when messages are deleted from, or added to a mailbox, the disk space is reduced or increased accordingly (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knuth's reference with the teaching of Tow, so that memory space for mailboxes would have been dynamically adjusted when messages were added to or deleted from, because such a modification would have allocated memory space based on actual usage to eliminate wasting memory in under occupied mailboxes.

Response to Arguments

9. Applicant's arguments filed on 04/11/2005 have been fully considered but they are not persuasive.

9.1 Claims 28-30 over Knuth: The applicant argues that the Knuth fails to teach storing a deleted voice message (see last paragraph of page 10 of the Remark).

However, as recited in this Office Action, Knuth teaches entering a number from a keypad to delete a voice message from the common area, and to move the deleted

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voice message to an individual mailbox. Thus Knuth teaches deleting a voice message from a user accessible memory area (common area) and moved the deleted voice message to a deleted voice message area (individual mailbox) as recited in claims 28-30.

9.2 Claims 1, 12 and 22 over Jones in view of Becker and Carbone: The applicant argues that Jones does not teach a keypad command to delete a voice message, i.e. an archive option is not a delete option.

However, Jones teaches a user uses keypad to archive a voice message, and upon the archive option is selected from the keypad, the voice message is immediately and automatically deleted from the user's mailbox (user accessible memory) and moved to an archive system (deleted voice message memory).

Jones' keypad option to archive reads on the claimed keypad option to delete, because the Jones' archiving option includes an archiving option and a deleting option.

Since the Applicant claims: "selecting a keypad option to delete a voice message", then any keypad option, such as move or archive (as in the Knuth and in the Jones), that includes a delete option reads on this claimed limitation.

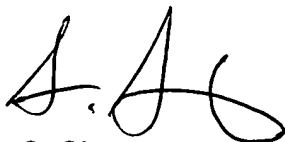
Conclusion

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545.

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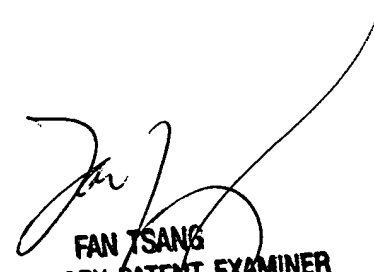
The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

06/16/2006



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